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# **PDF PAGE 1, COLUMNS 1 & 6**

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## **PDF PAGE 1, COLUMN 1**

**FRANK INNOCENT SAYS MAN WHO CLAIMS TO BE  
MURDER WITNESS**

## **PDF PAGE 1, COLUMN 6**

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***HE WILL TELL  
WHO***

***COMMITTED  
CRIME***

***ON ARRIVAL***

***HERE***

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# **Makes Statement to Chief of Birmingham Police**

## **and Catches Train at Midnight for Atlanta in**

### **Company With Detective-Prominent Citizen**

#### **Slew girl, He Says, But It Was Not Frank.**

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**By L. W. Friedman.**

Birmingham, Ala., October 18—(Special.)—A Birmingham man who says he was an eyewitness to the murder of Mary Phagan in Atlanta, and who asserts positively that Leo M. Frank is not guilty, left here at midnight tonight for Atlanta in company with the detective sent to Birmingham by Sheriff Mangum, of Fulton county.

This man, whose name has not been given out here, works in Birmingham, and is a respectable citizen, according to local police officers, to whom he made his statement.

“The guilty man is a prominent citizen of Atlanta,” he told Chief Bodeker, of the Birmingham police, “but it is not Leo Frank. I have no interest in the case other than to see that no innocent man hangs for the crime, and I will tell the whole story when I get to Atlanta.”

This man told his story to Chief Rodekar Friday, and the chief promptly wired Sheriff Mangum. A detective arrived today, and the man left with him for Atlanta at midnight.

Sheriff Mangum was reached by phone at his home early Sunday morning and stated to a Constitution reporter that he knew nothing about such a man in Birmingham—that he had never heard anything of the case, and had not sent a detective to Birmingham. Mr. Friedman, the man who sends the story to The Constitution, is a reporter for The Birmingham News, and has been for twenty years. He is probably the best known and one of the most highly respected newspaper men in Alabama. The Birmingham News is printing the story.

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## **PDF PAGE 50, COLUMN 3**

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# *ATLANTA PYTHIANS ARE PREPARING FOR DISTRICT CONVENTION*

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The Pythians of Atlanta are making extensive preparations for the fifth district convention of Pythias, to be held in Atlanta on October 29.

The sessions of this convention will be held in the Phythian assembly hall in the Kiser building, one beginning at 3 o'clock in the afternoon and the other at 8 o'clock at night. The afternoon session will be devoted to business, and will be attended by delegates from every Pythian lodge in the fifth congressional district. The night session will be devoted exclusively to the promotion of sociability and good fellowship. To this evening session every Knights of Pythias in reach of the convention hall is invited to be present:

Among those invited to speak at this convention are Supreme Chancellor Thomas J. Carling, Grand, Chancellor Miller S. Bell, Past Grand Chancellors James W. Austin, Frank A. Hooper and Hamilton Douglas. The program in detail will be announced later.

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**PDF PAGE 53, COLUMN 4**

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**FRANK JURORS TO  
OFFER  
CHARACTER  
AFFIDAVITS**

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# Hearing Set for Wednesday—Af- fidavits to Be Submitted for Henslee and Johenning.

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Affidavits attesting the character and standing of A. H. Henslee and M. Johenning, the two jurors in the Leo M. Frank case accused of expressing personal animus before the trial, will be part of the defense which Solicitor General Hugh M. Dorsey will submit at the hearing Wednesday morning before Judge L. S. Roan.

The date of hearing was definitely set as Wednesday when attorneys representing the state and the defense appeared Saturday before Judge Roan. Every indication is that the motion will be settled next week, at least as far as the superior court is concerned.

Solicitor Dorsey and Attorneys Frank A. Hooper and E. A. Stephens held a lengthy conference Saturday afternoon with Jurors Henslee and Johenning and both the men swore to affidavits, denying the charges of bias. At that time they also made preparations for the affidavits from other citizens as to their character and reputation.

**Dorsey Seeks Jurors Affidavits.**

The solicitor has been working for over a week to get affidavits from each of the jurors, denying that they were influenced by the cheering for the solicitor, which took place several times toward the close of the trial, and by which the defense claims the jurors must have been influenced.

Juror J. V. L. Smith, who recently was notified that he was heir to a small fortune, is now in New York in the interests of his claim and the solicitor secured his address and mailed him an affidavit for him to fill out and swear to before a notary or commissioner.

Both the state and the defense are anxious to end the case this week. Attorney Luther Z. Rosser declared in court Saturday that unless the motion was heard at once that it would have to be put off for a while, as he had other cases that were pressing him. The solicitor also is anxious to get down to work on the scores of other cases which are congesting the court docket.

### **New Evidence Coming.**

Both sides agreed to submit to each other before the case is taken up various papers which they have prepared and which have not been made public. It is stated that both sides have additional evidence to be produced at the hearing and which has not been filed with the clerk of the court.

Judge Roan also urged haste in bringing up the motion, saying that he felt it necessary to take his place on the court appeals bench and allow Judge Benjamin H. Hill to become a member of the Fulton superior court.

The fight, which is set for Wednesday, is expected to be a long and bitter one and the various technical errors which Judge Roan is alleged to have made on rulings which the defense protested, will call for a great deal of argument and also for the citing of many authorities and records of the decisions of the supreme courts.

The fight over the charges against the two jurors will also take up much time and may involve lengthy arguments before it is finished.

A bound volume about two feet thick and representing all the evidence taken in the previous case in which Frank was convicted for the murder of Mary Phagan, was filed Saturday with Deputy Clerk John H. Jones. This was formally placed on the court records by the defense and was the typewritten transcript of the court stenographer's notes.

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